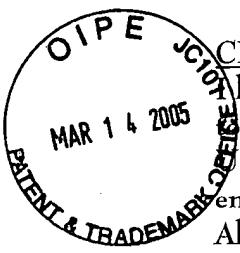


PLW
J FW



CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred
therin as enclosed is being deposited with the
U.S. Postal Service as first class mail, postage prepaid, in an
envelope addressed to: Commissioner for Patents,
Alexandria, VA 22313-1450 on March 10, 2005 (Date of Deposit)

March 10, 2005


Manette Dennis (Reg. No. 30,623)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No. : 10/049,992 Confirmation No. 2610

Applicant : Beaulieu, A. et al.

371(c) Date : October 7, 2002

TC/A.U. : 1614

Examiner : Vickie Y. Kim

Docket No. : BEAU 4 US

Title : SOLID WOUND HEALING FORMULATIONS
CONTAINING FIBRONECTIN

PETITION FOR WITHDRAWAL OF ABANDONMENT -PTO HAS EVIDENCE
THAT MAILED CORRESPONDENCE WAS RECEIVED

Attn.: Director of the U.S. Patent and Trademark Office

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST

Applicants respectfully request that the abandonment in this case be withdrawn, since a response to the outstanding Office Action was received in a timely fashion as outlined below.

PROMPTNESS OF THIS SUBMISSION

This information is being submitted promptly after the applicant has learned of the abandonment on the basis of the Notice of Abandonment mailed by the PTO on January 11, 2005 (copy enclosed).

SUBMISSION

Submitted herewith is:

- a. A copy of the Image File Wrapper for Application No. 10/049,992 showing listings for an Amendment and its enclosures, all with a mailroom date of December 9, 2004.
- b. A copy of the page of the Petition for Extension of Time under 37 CFR 1.136(a) mailed on December 6, 2004 showing a Certificate of Mailing executed on December 6, 2004, further showing a date stamp from the USPTO OIPE showing the receipt of this Petition.
- c. A copy of the page of the Response mailed on December 6, 2004 showing a Certificate of Mailing executed on December 6, 2004, further showing a date stamp from the USPTO OIPE showing the receipt of this Response.
- d. A copy of the post card identifying the papers filed and showing the USPTO OIPE date stamp dated December 9, 2004.
- e. A copy of the cancelled check(s) referring to the response identified above.
- f. A copy of the complete response previously filed.

STATEMENT

Attached hereto is a statement attesting to the timely transmission of the response to the Office Action dated June 7, 2004, along with an Petition for Extension of Time under 37 CFR 1.136(a).

Application Serial No. 10/049,992
Petition to Request Withdrawal of Abandonment
dated March 10, 2005

Please proceed with the further examination of this application based on the timely filed Response.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

Acknowledgment of the active status of this application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees, or to credit any overpayment, to Deposit Account No. 50-3195. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: March 10, 2005

Manette Dennis
Manette Dennis (Reg. No. 30,623)
Ostranger Chong Flaherty & Broitman, PC
Customer No. 44702
250 Park Avenue, Suite 825
New York, New York 10177-0899
Tel.: 212 681-0600
mdennis@ocfblaw.com

Enc.

Application Serial No. 10/049,992
Petition to Request Withdrawal of Abandonment
dated March 10, 2005

Please proceed with the further examination of this application based on the timely filed Response.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

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Respectfully submitted,

Date: March 10, 2005


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Ostranger Chong Flaherty & Broitman, PC
Customer No. 44702
250 Park Avenue, Suite 825
New York, New York 10177-0899
Tel.: 212 681-0600
mdennis@ocflaw.com

Enc.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/049,992	10/07/2002	Andre Beaulieu	BEAU 4 US	2610	
44702	7590	01/11/2005	EXAMINER		
OSTRAGER CHONG FLAHERTY & BROITMAN PC				KIM, VICKIE Y	
250 PARK AVENUE, SUITE 825				ART UNIT	
NEW YORK, NY 10177				1614	
				PAPER NUMBER	

DATE MAILED: 01/11/2005

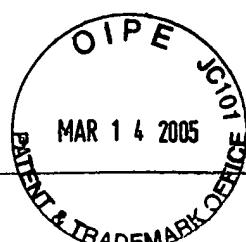


Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

JAN 13 2005

OSTRAGER CHONG FLAHERTY & BROITMAN PC



Notice of Abandonment

Application No.	Applicant(s)	
10/049,992	BEAULIEU ET AL.	
Examiner	Art Unit	
Vickie Kim	1614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 07 June 2004.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:

There are several attempts(e.g. phone, e-mail) to verify the status of application but failed(212-826-6565, changed without information about new phone number). The examiner failed to contact Mr. Dennis, M. (attorney of the record). Since there is no response to verify applicant's reply, the case is properly abandoned due to the reason above, see attached sheet.


Vickie Kim
Primary Examiner
Art Unit: 1614

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on March 10, 2005 (Date of Deposit)

March 10, 2005

Manette Dennis
Manette Dennis (Reg. No. 30,623)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No. : 10/049,992 Confirmation No. 2610

Applicant : Beaulieu, A. et al.

371(c) Date : October 7, 2002

TC/A.U. : 1614

Examiner : Vickie Y. Kim

Docket No. : BEAU 4 US

Title : SOLID WOUND HEALING FORMULATIONS
CONTAINING FIBRONECTIN

EVIDENCE AND STATEMENT ACCOMPANYING PETITION FOR
WITHDRAWAL OF ABANDONMENT -PTO HAS EVIDENCE THAT MAILED
CORRESPONDENCE WAS RECEIVED

Attn.: Director of the U.S. Patent and Trademark Office

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST

1. I, Manette Dennis, hereby state that I signed the Response to the First Office Action and the Certificate of Mailing for the Response to the First Office Action and deposited this Response with the United States Postal Service with sufficient postage as first class

Page 1 of 1

mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on December 6, 2004.

2. I, Manette Dennis, further state that I signed the Petition for Extension of Time Under 37 CFR 1.136(a) and the Certificate of Mailing for the Petition and deposited this Petition with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on December 6, 2004. The Petition extended the time to respond to the Office Action of June 7, 2004 from September 7, 2004 to December 7, 2004.

3. The evidence showing that the Response to the First Office Action and the Petition for Extension of Time were timely filed and received in the U. S. Patent and Trademark Office are as follows:

a. A copy of the Image File Wrapper for Application No. 10/049,992 showing listings for an Amendment and its enclosures, all with a mailroom date of December 9, 2004.

b. A copy of the page of the Petition for Extension of Time under 37 CFR 1.136(a) mailed on December 6, 2004 showing a Certificate of Mailing executed on December 6, 2004, further showing a date stamp from the USPTO OIPE showing the receipt of this Petition.

c. A copy of the page of the Response mailed on December 6, 2004 showing a Certificate of Mailing executed on December 6, 2004, further showing a date stamp from the USPTO OIPE showing the receipt of this Response.

d. A copy of the post card identifying the papers filed and showing the USPTO OIPE date stamp dated December 9, 2004.

Application Serial No. 10/049,992
Petition to Request Withdrawal of Abandonment
dated March 10, 2005

e. A copy of the cancelled check(s) referring to the response identified above.

If there are any questions concerning this matter, the Director or his appointee is requested to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fees, or to credit any overpayment, to Deposit Account No. 50-3195. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: March 10, 2005


Manette Dennis (Reg. No. 30,623)
Ostranger Chong Flaherty & Broitman, PC
Customer No. 44702
250 Park Avenue, Suite 825
New York, New York 10177-0899
Tel.: 212 681-0600
mdennis@ocflaw.com

Enc.



United States Patent and Trademark Office

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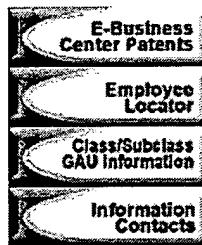


Image File Wrapper for Application No.:10/049,992

NE

This application is officially maintained in electronic form. To View: Click the desired Document Description link for the desired document(s) and click Download.

Mail Room Date	Document Description	Document Category
01/11/2005	Abandonment	PROSECUTION
01/07/2005	Examiner Search Notes	PROSECUTION
12/09/2004	Miscellaneous Incoming Letter	PROSECUTION
12/09/2004	Information Disclosure Statement	PROSECUTION
12/09/2004	Applicant Arguments or Remarks Made in an Amendment	PROSECUTION
12/09/2004	Specification	PROSECUTION
12/09/2004	Claim	PROSECUTION
12/09/2004	Preliminary Amendment	PROSECUTION
12/09/2004	Extension of time from Applicant - filed as separate letter	PROSECUTION
12/09/2004	Applicant Arguments or Remarks Made in an Amendment	PROSECUTION
12/09/2004	Amendment	PROSECUTION
06/07/2004	List of references cited by Examiner	PROSECUTION
06/07/2004	Non-Final Rejection	PROSECUTION
06/07/2004	Examiner Search Notes	PROSECUTION
06/07/2004	Claims recorded on File Wrapper	PROSECUTION
06/07/2004	Search info on File Wrapper	PROSECUTION
06/07/2004	Foreign Reference	PROSECUTION
06/07/2004	Foreign Reference	PROSECUTION
03/30/2004	Information Disclosure Statement	PROSECUTION
03/11/2004	Change of Address	PROSECUTION
11/26/2003	Notice of DO/EO Acceptance Mailed	PROSECUTION
11/12/2003	CRF Sequence Listing Filed	PROSECUTION
10/23/2003	CRF Sequence Listing Filed	PROSECUTION

10/03/2003	Miscellaneous Incoming Letter	PROSECUTION
06/02/2003	Information Disclosure Statement	PROSECUTION
05/16/2003	Miscellaneous Incoming Letter	PROSECUTION
05/16/2003	Change of Address	PROSECUTION
03/27/2003	Miscellaneous Incoming Letter	PROSECUTION
02/25/2003	Miscellaneous Incoming Letter	PROSECUTION
02/14/2003	Petition Decision	PROSECUTION
02/07/2003	Oath or Declaration filed	PROSECUTION
02/07/2003	Miscellaneous Incoming Letter	PROSECUTION
02/07/2003	Extension of time from Applicant - filed as separate letter	PROSECUTION
12/02/2002	Specification	PROSECUTION
12/02/2002	Amendment	PROSECUTION
12/02/2002	Sequence List	PROSECUTION
12/02/2002	CRF Sequence Listing Filed	PROSECUTION
12/02/2002	Oath or Declaration filed	PROSECUTION
12/02/2002	Miscellaneous Incoming Letter	PROSECUTION
12/02/2002	Specification	PROSECUTION
12/02/2002	Applicant Arguments or Remarks Made in an Amendment	PROSECUTION
11/26/2002	Specification	PROSECUTION
11/26/2002	Amendment	PROSECUTION
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11/26/2002	Miscellaneous Incoming Letter	PROSECUTION
11/26/2002	Sequence List	PROSECUTION
11/26/2002	CRF Sequence Listing Filed	PROSECUTION
11/26/2002	Specification	PROSECUTION
11/26/2002	Applicant Arguments or Remarks Made in an Amendment	PROSECUTION
10/07/2002	Extension of time from Applicant - filed as separate letter	PROSECUTION
10/07/2002	Oath or Declaration filed	PROSECUTION
10/07/2002	Miscellaneous Incoming Letter	PROSECUTION
06/04/2002	Notice of DO/EO Missing Requirement Mailed	PROSECUTION
02/19/2002	Transmittal of New Application	PROSECUTION
02/19/2002	Drawings	PROSECUTION

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Application No. 10/049,992
Amdt. dated December 6, 2004
Reply to Office Action of June 7, 2004

DEC 09 2004

C. \$pc1
DT07 Rec'd PCT/PTO 09 DEC 2004

CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on December 6, 2004 (Date of Deposit)

December 6, 2004

Manette Dennis
Manette Dennis (Reg. No. 30,623)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No. : 10/049,992 Confirmation No. 2610
Applicant : Beaulieu, A. et al.
371(c) Date : October 7, 2002
TC/A.U. : 1614
Examiner : Vickie Y. Kim
Docket No. : BEAU 4 US
Title : SOLID WOUND HEALING FORMULATIONS
CONTAINING FIBRONECTIN

RESPONSE TO THE FIRST OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 7, 2004, Applicants respectfully submit the following remarks:

Remarks/Arguments begin on page 2 of this paper.

REMARKS/ARGUMENTS

Pending Claims

Applicant respectfully notes that the pending claims in this case are claims 25-46, as filed with the Preliminary Amendment dated February 19, 2002. A copy of the Preliminary Amendment, as filed, is enclosed. The specification was also amended at that time to recite all of the continuing and priority information for this case.

The Preliminary Amendment was filed with the rest of the papers initiating the U.S. National Phase Application corresponding to PCT/CA00/00953. The receipt of the Preliminary Amendment was acknowledged on the 371 Formalities Letter: Notification of Missing Requirements in the United States Designated/Elected Office (DO/EO/US) mailed June 4, 2004. A copy of the 371 Formalities Letter is enclosed and the notation regarding the Preliminary Amendments is highlighted. The receipt of the Preliminary Amendment is also acknowledged on the Notice of Acceptance of Application under 35 U.S.C. 371 and 37 CFR 1.495; a copy of this document is also enclosed and highlighted.

Information Disclosure Statements

In Item 2 of the Office Action, the Examiner requests that the references cited in the PCT International Search Report be included on a form PTO-1449. Applicants respectfully note that these references have already been listed on a form PTO-1449, as the next to the last page of the Information Disclosure Statement filed on June 2, 2003. A copy of this Information Disclosure Statement and its enclosed forms PTO-1449 (substitute), -A820, and -892 are enclosed with this response for identification.

It has been the practice of other examiners in related cases to initial the forms filed in the prior cases and return them with the next office action. Neither the June 2, 2003 nor the March 30, 2004 Supplemental Information Disclosure Statement (copy enclosed) have been acknowledged and their lists of references initialed in this Office Action. Both of these Information Disclosure Statements have been received and are listed in the file history of this case on Patent Application Information Retrieval (PAIR) system. A copy of a recent print out from private PAIR is enclosed. The examiner is respectfully requested to contact the undersigned if any of the references previously filed with these Information Disclosure Statements cannot be located.

Claim Rejections – 35 USC § 102

Claims 1-9, 15-19 were rejected under 35 U.S.C. 102 (b) as being anticipated by Reich (US 4,973,466). These claims are no longer pending in this application; however, applicants will discuss this reference in light of the pending claims 25-46.

Ocular dressings disclosed by the Reich reference (US '466 hereinafter) are prepared by flocculating, precipitating fibronectin, fragments or its analogs to produce a water-swellable gel, which may also include albumin. It can then be molded like contact lens and cut into appropriate shapes and sizes. When the gels are inserted into lacerations, punctures and incisions, they "expand to fill in the opening between the broken tissues due to absorption of biological fluids from surrounding tissues" (Col 5, lines 52-59).

Precipitated fibronectin is the dressing, as taught in US '466. In contrast, in the present application soluble fibronectin is incorporated into a solid dressing. The solid dressing

according to the invention then **releases almost all of the fibronectin as soluble** fibronectin into the wound. Claims 25 to 42 all require that the solid wound healing formulations of this application to release soluble fibronectin. The fibronectin in the Reich reference is flocculated and unlikely to be released to the delivery site.

The methods used in US '466 are opposite those used in the present application. In US '466, the fibronectin solution starts at neutral pH, and is subsequently precipitated using acid or high salts (See, for example, col. 4. line 64 to col. 5, line 8 and Example 1 of U.S. '466). While in the present application, the fibronectin aqueous solution is basic, preferable highly basic, before it is combined with an alginate salt (Claims 43-46 of the present application). The fibronectin in the present invention remains soluble before and after it is incorporated into a solid dressing; it is never flocculated or precipitated.

Claim Rejections – 35 USC § 102/103

Claims 1-24 were rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Beaulieu (US 5641483). Applicants represent that the solid wound formulations of the present application release an unexpected amount of fibronectin, representing a significant and novel improvement over the hydrogels and cream formulations of US 5641483. The amounts of fibronectin released by applicants' solid wound formulations are discussed in Example 6 on page 16, line 27 to page 17, line 12 of the present application¹. The amount released from the fibronectin/calcium alginate dressing is 262% greater than the amount released from a 1% fibronectin carbomer hydrogel. The highest concentration for a fibronectin gel

disclosed in US 5641483 is 0.5% fibronectin carbomer gel, which is only half of the amount used in the hydrogel/ solid formulation comparison reported in Example 6. US 5641483 neither suggests nor teaches how to release such a large amount of fibronectin into a wound site.

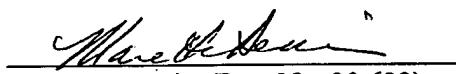
CONCLUSION

If the Examiner has any questions or suggested Examiner's amendments, she is respectfully requested to call the undersigned.

The Commissioner is hereby authorized to charge any additional fees, or to credit any overpayment, to Deposit Account No. 50-3195. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: December 6, 2004


Manette Dennis (Reg. No. 30,623)
Ostranger Chong Flaherty & Broitman, PC
250 Park Avenue, Suite 825
New York, New York 10177-0899
Tel.: 212 681-0600
mdennis@ocfblaw.com

Enc.

1. Preliminary Amendment filed February 19, 2002
2. 371 Formalities Letter mailed June 4, 2002
3. 371 Acceptance Letter mailed November 26, 2003
4. Information Disclosure Statement filed June 2, 2003
5. Supplemental Information Disclosure Statement filed March 30, 2004
6. Patent Application Information Retrieval Record dated November 30, 2004

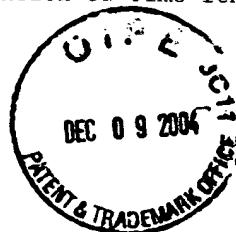


Applicant: Beaulieu, A
Serial No.: 10/049,992
Filed: October 7, 2002
entitled: SOLID WOUND HEALING FORMULATIONS CONTAINING
FIBRONECTIN

d.

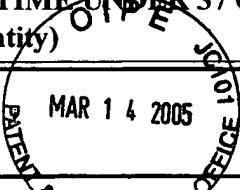
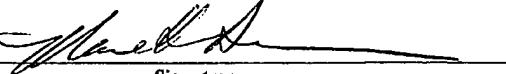
Please acknowledge receipt of the following:

- Response to the First Office with certificate of mailing dated 12/06/04
- Amendment Transmittal Letter (Small Entity) with certificate of mailing dated 12/06/04
- Petition for Extension of Time with certificate of mailing dated 12/06/04

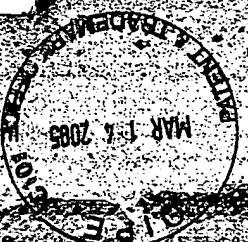


MD/ BEAU 4 US

b.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Small Entity)				Docket No. Beau 4 US	
In Re Application Of: A. Beaulieu et al.		 MAR 14 2005			
Application No. 10/049,992	Filing Date Oct 7, 2002	Examiner Vickie Y. Kim	Customer No. 44702	Group Art Unit 1614	Confirmation No. 2610
Invention:  SOLID WOUND HEALING FORMULATIONS CONTAINING FIBRONECTIN					
<u>COMMISSIONER FOR PATENTS:</u>					
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>June 7, 2004</u> in the above-identified application. <i>Date</i>					
The requested extension is as follows (check time period desired): <input type="checkbox"/> One month <input type="checkbox"/> Two months <input checked="" type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months					
from: <u>September 7, 2004</u> <i>Date</i>		until: <u>December 7, 2004</u> <i>Date</i>			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					
The fee for the extension of time is <u>\$490</u> and is to be paid as follows: <input checked="" type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>50-3195</u> <input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. <u>50-3195</u> <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 <i>Signature</i>		Dated: <u>December 6, 2004</u>			
Manette Dennis (Reg. No. 30,623 250 Park Avenue, Suite 825 New York, NY 10188-0899 Tel. (212) 681-0600 ext. 101 mdennis@ocfblaw.com		I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>December 6, 2004</u> <i>(Date)</i>  <i>Signature of Person Mailing Correspondence</i> Manette Dennis <i>Typed or Printed Name of Person Mailing Correspondence</i>			
CC:		P12SMALL/REV07			

Applicant: Beau lieu, A.
Serial No. 10/049,552
Date: October 7, 2002
SOLID WOOLY HERALIC FORMULATIONS
CATHERINE FIBRONECTIN



AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s): A. Beaulieu et al.

Docket No.

Beau 4 US

Application No.
10/049,992Filing Date
Oct 7, 2002Examiner
Vickie Y. KimCustomer No.
44702Group Art Unit
1614Confirmation No.
2610

Invention: SOLID WOUND HEALING FORMULATIONS CONTAINING FIBRONECTIN

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

Applicant claims small entity status. See 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	47 -	47 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	5 -	5 =	0	x \$44.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

No additional fee is required for amendment.

Please charge Deposit Account No. _____ in the amount of _____

A check in the amount of _____ to cover the filing fee is enclosed.

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-3195

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

Payment by credit card. Form PTO-2038 is attached.

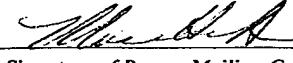
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: December 6, 2004

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on December 6, 2004

(Date)


Signature of Person Mailing Correspondence

Manette Dennis

Typed or Printed Name of Person Mailing Correspondence

CC:



CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on December 6, 2004 (Date of Deposit)

December 6, 2004

Manette Dennis
Manette Dennis (Reg. No. 30,623)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No.	:	10/049,992	Confirmation No.	2610
Applicant	:	Beaulieu, A. et al.		
371(c) Date	:	October 7, 2002		
TC/A.U.	:	1614		
Examiner	:	Vickie Y. Kim		
Docket No.	:	BEAU 4 US		
Title	:	SOLID WOUND HEALING FORMULATIONS CONTAINING FIBRONECTIN		

RESPONSE TO THE FIRST OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 7, 2004, Applicants respectfully submit the following remarks:

Remarks/Arguments begin on page 2 of this paper.

REMARKS/ARGUMENTS

Pending Claims

Applicant respectfully notes that the pending claims in this case are claims 25-46, as filed with the Preliminary Amendment dated February 19, 2002. A copy of the Preliminary Amendment, as filed, is enclosed. The specification was also amended at that time to recite all of the continuing and priority information for this case.

The Preliminary Amendment was filed with the rest of the papers initiating the U.S. National Phase Application corresponding to PCT/CA00/00953. The receipt of the Preliminary Amendment was acknowledged on the 371 Formalities Letter: Notification of Missing Requirements in the United States Designated/Elected Office (DO/EO/US) mailed June 4, 2004. A copy of the 371 Formalities Letter is enclosed and the notation regarding the Preliminary Amendments is highlighted. The receipt of the Preliminary Amendment is also acknowledged on the Notice of Acceptance of Application under 35 U.S.C. 371 and 37 CFR 1.495; a copy of this document is also enclosed and highlighted.

Information Disclosure Statements

In Item 2 of the Office Action, the Examiner requests that the references cited in the PCT International Search Report be included on a form PTO-1449. Applicants respectfully note that these references have already been listed on a form PTO-1449, as the next to the last page of the Information Disclosure Statement filed on June 2, 2003. A copy of this Information Disclosure Statement and its enclosed forms PTO-1449 (substitute), -A820, and -892 are enclosed with this response for identification.

It has been the practice of other examiners in related cases to initial the forms filed in the prior cases and return them with the next office action. Neither the June 2, 2003 nor the March 30, 2004 Supplemental Information Disclosure Statement (copy enclosed) have been acknowledged and their lists of references initialed in this Office Action. Both of these Information Disclosure Statements have been received and are listed in the file history of this case on Patent Application Information Retrieval (PAIR) system. A copy of a recent print out from private PAIR is enclosed. The examiner is respectfully requested to contact the undersigned if any of the references previously filed with these Information Disclosure Statements cannot be located.

Claim Rejections – 35 USC § 102

Claims 1-9, 15-19 were rejected under 35 U.S.C. 102 (b) as being anticipated by Reich (US 4,973,466). These claims are no longer pending in this application; however, applicants will discuss this reference in light of the pending claims 25-46.

Ocular dressings disclosed by the Reich reference (US '466 hereinafter) are prepared by flocculating, precipitating fibronectin, fragments or its analogs to produce a water-swellable gel, which may also include albumin. It can then be molded like contact lens and cut into appropriate shapes and sizes. When the gels are inserted into lacerations, punctures and incisions, they "expand to fill in the opening between the broken tissues due to absorption of biological fluids from surrounding tissues" (Col 5, lines 52-59).

Precipitated fibronectin is the dressing, as taught in US '466. In contrast, in the present application **soluble** fibronectin is incorporated into a solid dressing. The solid dressing

according to the invention then **releases almost all of the fibronectin as soluble fibronectin** into the wound. Claims 25 to 42 all require that the solid wound healing formulations of this application to release soluble fibronectin. The fibronectin in the Reich reference is flocculated and unlikely to be released to the delivery site.

The methods used in US '466 are opposite those used in the present application. In US '466, the fibronectin solution starts at neutral pH, and is subsequently precipitated using acid or high salts (See, for example, col. 4. line 64 to col. 5, line 8 and Example 1 of U.S. '466). While in the present application, the fibronectin aqueous solution is basic, preferable highly basic, before it is combined with an alginate salt (Claims 43-46 of the present application). The fibronectin in the present invention remains soluble before and after it is incorporated into a solid dressing; it is never flocculated or precipitated.

Claim Rejections – 35 USC § 102/103

Claims 1-24 were rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Beaulieu (US 5641483). Applicants represent that the solid wound formulations of the present application release an unexpected amount of fibronectin, representing a significant and novel improvement over the hydrogels and cream formulations of US 5641483. The amounts of fibronectin released by applicants' solid wound formulations are discussed in Example 6 on page 16, line 27 to page 17, line 12 of the present application¹. The amount released from the fibronectin/calcium alginate dressing is 262% greater than the amount released from a 1% fibronectin carbomer hydrogel. The highest concentration for a fibronectin gel

disclosed in US 5641483 is 0.5% fibronectin carbomer gel, which is only half of the amount used in the hydrogel/ solid formulation comparison reported in Example 6. US 5641483 neither suggests nor teaches how to release such a large amount of fibronectin into a wound site.

CONCLUSION

If the Examiner has any questions or suggested Examiner's amendments, she is respectfully requested to call the undersigned.

The Commissioner is hereby authorized to charge any additional fees, or to credit any overpayment, to Deposit Account No. 50-3195. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: December 6, 2004


Manette Dennis (Reg. No. 30,623)
Ostrander Chong Flaherty & Broitman, PC
250 Park Avenue, Suite 825
New York, New York 10177-0899
Tel.: 212 681-0600
mdennis@ocfblaw.com

Enc.

1. Preliminary Amendment filed February 19, 2002
2. 371 Formalities Letter mailed June 4, 2002
3. 371 Acceptance Letter mailed November 26, 2003
4. Information Disclosure Statement filed June 2, 2003
5. Supplemental Information Disclosure Statement filed March 30, 2004
6. Patent Application Information Retrieval Record dated November 30, 2004



Certificate of Express Mailing

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service in an envelope addressed to: Attn: DO/EO/US Box PCT, Commissioner for Patents, Washington, DC 20231, as "Express Mail Post Office to Addressee" Mailing Label No. EL 793483894 US on February 19, 2002 (Date of Deposit).

February 19, 2002

Manette Dennis
Manette Dennis (Reg. No. 30,623)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: A. Beaulieu et al.

Group Art Unit: 1614

National Phase Application Corresponding to
PCT/CA00/00953

Examiner: F. Krass

Filed: February 19, 2002 based on an International filing date of August 21, 2000

Title: SOLID WOUND HEALING FORMULATIONS CONTAINING FIBRONECTIN

PRELIMINARY AMENDMENT

Sir:

Prior to examination of the concurrently filed application identified above, Applicants request that the following amendments be entered:

IN THE CLAIMS

Please amend the claims as follows:

Please cancel claims 1-24.

Please add new claims 25-46.

25. A solid wound healing formulation comprising fibronectin, wherein the solid wound healing formulation releases an effective amount of soluble, biologically active fibronectin when

placed in contact with a wound.

26. A solid wound healing formulation comprising fibronectin, wherein the solid wound healing formulation releases a sufficient amount of fibronectin to promote the formation of new granulation tissue when placed in contact with a wound.

27. A solid wound healing formulation comprising at least 36% to 75% fibronectin per dry weight, wherein the solid wound healing formulation releases a sufficient amount of soluble fibronectin to promote the formation of new granulation tissue when placed in contact with a wound.

28. The solid wound healing formulation according to claims 25, 26, or 27, wherein the soluble fibronectin released from the solid wound healing formulation has the biological activity characteristic of fibronectin.

29. The solid wound healing formulation according to claims 25, 26, or 27, wherein the fibronectin is human fibronectin.

30. The solid wound healing formulation according to claims 25, 26, or 27, wherein the fibronectin is fibronectin from a non-human animal.

31. The solid wound healing formulation according to claims 25, 26, or 27 further

comprising a wound healing promoter other than fibronectin, wherein the wound healing promoter other than fibronectin is selected from the group consisting of thrombospondin, laminin, vitronectin, fibrinogen, and growth factors.

32. The solid wound healing formulation according to claims 25, 26, or 27, wherein at least 80% of the fibronectin is absorbed in a dermal layer of a deepithelialized skin diffusion cell system after 12 hours.

33. The solid wound healing formulation according to claims 25, 26, or 27, wherein the wound healing formulation releases 34.1 μg of fibronectin per mm^2 deepithelialized skin surface area in a dermal layer of a deepithelialized skin diffusion cell system after 12 hours.

34. The solid wound healing formulation according to claims 25, 26, or 27, wherein the concentration of fibronectin is 10 to 80 $\mu\text{g}/\text{mm}^2$.

35. The solid wound healing formulation according to claims 25, 26, or 27, wherein the solid wound healing formulation is storable for 12 months at 4°C without the degradation of fibronectin and with low residual moisture.

36. The solid wound healing formulation according to claims 25, 26, or 27, wherein the wound healing formulation is a fibrous wound healing formulation.

37. The solid wound healing formulation according to claim 36, wherein the fibrous wound healing formulation comprises a plant polysaccharide selected from the group consisting of alginates, carrageenans, and cellulose derivatives.

38. The solid wound healing formulation according to claim 36, wherein the fibrous wound healing formulation comprises a tissue matrix system.

39. A method of treating a wound comprising the step of applying the solid wound healing formulation according to claims 25, 26, or 27 to a wound.

40. The method according to claim 39, wherein the wound is an exuding wound.

41. The method according to claim 39 comprising the additional step of moistening the wound with a pharmaceutically acceptable wetting agent.

42. The method according to claim 39 comprising the additional step of moistening the solid wound healing formulation with a pharmaceutically acceptable wetting agent.

43. A method of producing a wound healing promoter delivery system comprising the steps of

a) preparing a concentrated solution of a wound healing promoter adjusted to a pH of 8.0 to

11.6:

- b) preparing a solution of an anionic polysaccharide;
- c) mixing the solution of step (a) and the solution of step (b) at a pH which is equal to or lower than the isoelectric point of the wound healing promoter when the wound healing promoter is positively charged to form a homogeneous mixture; and
- d) freeze-drying the homogeneous mixture of step (c).

44. A method of producing a wound healing promoter delivery system comprising the steps of

- a) preparing a concentrated solution of fibronectin adjusted to a pH of 8.0 to 11.6;
- b) preparing a solution of an alginate salt;
- c) mixing the solution of step (a) and the solution of step (b) at a pH which is equal to or lower than the isoelectric point of fibronectin when fibronectin is positively charged to form a homogeneous mixture;
- d) adding glacial acetic acid to achieve a final pH of 5.0;
- e) freeze-drying the homogeneous mixture having a pH of 5.0 of step (c) to produce the solid wound wound healing formulation.

45. The method of claim 43, wherein a gellation agent is added in step (d).

46. The method of claim 44, wherein the concentrated solution of fibronectin of step (a) consists of fibronectin and demineralized water.

IN THE SPECIFICATION

Please enter the following change:

Page 1, line 3, please add

-- RELATED APPLICATIONS

This application is the United States national phase application of International Application No. PCT/CA00/00953 filed August 21, 2000. International Application No. PCT/CA00/00953 claims the priority of both U. S. Provisional Application No. 60/149,958 filed August 20, 1999 and U. S. Provisional Application No. 60/182,412 filed February 14, 2000.

This application is also a continuation-in-part of U. S. Application Serial No. 09/331,344, filed August 21, 1999 (completion of 371 requirements), which is the United States national phase application of International Application No. PCT/CA97/00966, filed December 12, 1997, which claims the priority of U.S. Application Serial No. 08/767,868, filed December 17, 1996, which issued as U.S. Patent No. 5,821,220. U. S. Application No. 08/767,868 is a continuation-in-part of U.S. Application Serial No. 08/488,253, filed June 7, 1995, which issued as U.S. Patent No. 5,641,483.

This application is also a continuation-in-part of U.S. Application Serial No. 09/862,971, filed May 22, 2001, which is a divisional application of U.S. Application Serial No. 09/245,785, filed February 5, 1999, which is a divisional application of U.S. Application Serial No. 08/879,159, filed June 19, 1997, which issued as U.S. Patent No. 5,877,149. U. S. Application Serial No. 08/879,159 is a continuation-in-part of U. S. Application Serial No. 08/488,253, filed June 7, 1995, which issued as U.S. Patent No. 5,641,483. --

Page 5, line 14, add -- The fibronectin in the solid dressing has substantially the same biological activity before and after the fibronectin is incorporated into the dressing --.

REMARKS

The amendment on page 5 is supported by claim 4 in the International Application as originally filed.

CONCLUSION

It is respectfully requested that the above changes be entered into this application prior to its examination.

Respectfully submitted,

February 19, 2002


Manette Dennis (Reg. No. 30,623)
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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/049,992	Andre Beaulieu	BEAU 4 US

INTERNATIONAL APPLICATION NO.

PCT/CA00/00953

I.A. FILING DATE	PRIORITY DATE
08/21/2000	08/20/1999

CONFIRMATION NO. 2610

371 FORMALITIES LETTER



OC000000008216293

Date Mailed: 06/04/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

INDIA L EVANS

Telephone: (703) 305-2936

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/049,992	PCT/CA00/00953	BEAU 4 US

FORM PCT/DO/EO/905 (371 Formalities Notice)


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT		ATTY. DOCKET NO.	
10/049,992	Andre Beaulieu		BEAU 4 US	
			INTERNATIONAL APPLICATION NO.	
			PCT/CA00/00953	
IA. FILING DATE		PRIORITY DATE		
08/21/2000		08/20/1999		
CONFIRMATION NO. 2610				
371 ACCEPTANCE LETTER				
 *OC00000001133356*				

Date Mailed: 11/26/2003

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>10/07/2002</u>	<u>10/07/2002</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF RECEIPT OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** *The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.*

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 02/19/2002
- Copy of the International Search Report filed on 02/19/2002
- Copy of IPE Report filed on 02/19/2002
- Preliminary Amendments filed on 02/19/2002
- Biochemical Sequence Diskette filed on 10/07/2002
- Oath or Declaration filed on 10/07/2002
- Biochemical Sequence Listing filed on 10/07/2002
- Request for Immediate Examination filed on 02/19/2002
- Copy of references cited in ISR filed on 02/19/2002
- U.S. Basic National Fees filed on 02/19/2002

- Priority Documents filed on 10/07/2002
- Power of Attorney filed on 10/07/2002

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

INDIA L EVANS
Telephone: (703) 305-2936

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

Rec'd PCT/PTO 02 JUN 2003

PATENT
Attorney Docket Number: BEAU 4 US

CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, DC. 20231.

on June 02, 2003
(Date)

Typed or printed name of person signing this certificate

Dr. O.M. (Sam) Zaglmout
Signature O.M. Zaglmout

Attachments: List of the documents which are hand delivered to the USPTO are shown below:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Beaulieu, A. et al.

Application Serial Number: 10/049,992.

Title: SOLID WOUND HEALING FORMULATIONS CONTAINING FIBRONECTIN.

Filing Date: August 21, 2000

Art Unit: 1614

Examiner: C. T. Ostrup

JUN 11 2003

Mail Stop: Non-Fee Amendment (IDS)

Honorable Commissioner of Patents

P.O.BOX 1450

Alexandria, VA 222313-1450

Dear Sir:

Please find enclosed the following documents (Total: 10 items. Total number of pages: 31). These documents were hand-delivered to the PCT office (8 th floor, Reception Office).

1. Information Disclosure Statement cover letter. Date of the letter is May 13, 2003. (Three pages). Two copies (total: six pages)
2. Information Disclosure Statement by Applicant (Substitute to form 1449A/PTO)-Four pages.
3. Form PTO-1449 (modified)-Two pages.
4. Form PTO-A820-One page.
5. PTO-892 (Notice of the references cited)-One page.
6. Form PTO-1449 (Modified)-Two pages.
7. Information Disclosure Statement by Applicant (Substitute to form 1449A/PTO)-Ten pages.
8. PTO-A820. One page.
9. PTO-892- Two pages.
10. Information Disclosure Statement by Applicant (Substitute to form 1449A/PTO)-Four pages.

 COPY

Attorney Docket No.: BEAU 4 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/049,992

Group Art Unit: 1614

Based on International Application No. PCT/CA00/00953

Applicant: Beaulieu, A. et al.

Examiner: C.T. Ostrup

International Application Filing Date: August 21, 2000

Title: SOLID WOUND HEALING
FORMULATIONS CONTAINING FIBRONECTIN

INFORMATION DISCLOSURE STATEMENT

Mail Stop Non-Fee Amendment (IDS)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with to 37 CFR § 1.56, applicants identify the following related U.S. patent applications, which are relied on upon by this application for an earlier filing date under 35 USC § 120:

PATENT

Attorney Docket No.: BEAU 4 US

Case No.	Docket Number	Application Number	Filing Date (mm-dd-yy)	Priority Date (mm-dd-yy)	Priority Application	Status of Case
1	Beau 1	08/488,253	06-07-95	06-07-95	----	ISSUED 06-24-97 - U.S. Patent 5,641,483
2	Beau 2	08/767,868	12-17-96	06-07-95	Case 1	ISSUED 10-13-98 - U.S. Patent 5,821,220
3	Beau 2 USA	09/331,344	06-16-99	06-07-95 12-17-96	Case 1 Case 2	ISSUED 03-04-03 U.S. Patent 6,528,483 B2
4	Beau 3	08/879,159	06-19-97	06-07-95	Case 1	ISSUED 03-02-99 - U.S.P. 5,877,149
5	Beau 3 DIV	09/245,785	02-05-99	06-06-95	Case 1	ISSUED 06-26-2001 - U.S.P. 6,251,859
6	Beau 3 2 ND DIV	09/862,971	05-22-01	06-06-95	Case 1	ABANDONED
7	Beau 3 3 RD DIV USA	10/108,206	03-26-02	06/07/95 06/19/97 02/05/99 05/22/01	Case 1 Case 4 Case 5 Case 6	To be abandoned
8	Beau 5	10/145,678	05-15-02	05-15-01	Note ¹	PENDING

All references listed on the annexed PTO-1449, PTO-892 and PTO-A820 forms are of record in the above-identified cases and are not enclosed with this document, in accordance with 37 C.F.R. 1.98 (d).

If the Examiner needs additional information or would like to receive the enclosed information in a different format, he is requested to call or e-mail the undersigned.

The Information Disclosure Statement submitted herewith is being filed before the mailing of a first Office Action on the merits.

¹ Beau 5 also claims the priority of the earlier filed U.S. cases, including the present application.

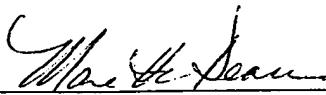
PATENT

Attorney Docket No.: BEAU 4 US

The Commissioner is hereby authorized to charge any additional fees, or to credit any overpayment, to Deposit Account No. 15-0699. A duplicate copy of this document is attached for fee processing.

Respectfully submitted,

Date: May 13, 2003


Manette Dennis (Reg. No. 30,623)
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mdennis@ocflaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andre Beaulieu MD FRCP(C)

Serial No.: 08/488,253

Group:

Filed: June 7, 1995

Title: WOUND HEALING FORMULATION CONTAINING
HUMAN PLASMA FIBRONECTIN

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB-CLASS	FILING DATE
A	4,455,300	06/19/84	WALLACE ET AL.	424	101	05/25/82
B	4,740,498	04/26/88	HIRAO ET AL.	514	8	10/23/85
C	4,925,924	05/15/90	SILVER ET AL.	530	356	10/26/87
D	4,973,466	11/27/90	REICH	424	426	06/21/88
E	5,045,631	09/03/91	KIMIZUKA ET AL.	530	350	02/13/89
F	5,053,388	10/01/91	GIBSON ET AL.	514	2	06/25/90
G	5,102,988	04/07/92	KIMIZUKA ET AL.	530	350	06/08/89
H	5,124,155	06/23/92	REICH	424	428	09/17/90

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATIONS

EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB-CLASS	TRANSLATION	
						YES	NO
I	WO 90/08833	08/09/90	PCT				
J	WO 92/12739	08/06/92	PCT				
K	WO 92/13003	08/06/92	PCT				
L	WO 91/15233	10/17/91	PCT				
M	WO 90/06767	06/28/90	PCT				
N	WO 90/13653	11/15/90	PCT				
O	EP 0 312 208A1	04/19/89					
P	EP 0 407 008A2	04/29/89					

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

Q	Hynes, R.O., Methods for identification of fibronectin (chap. 2, page 12). <u>IN:</u> Fibronectins New York: Springer-Verlag, 1990
R	Hynes, R.O., Methods for identification of fibronectin (chap. 2, pages 7-23) and Wound healing, inflammation, and fibrosis (chap. 14, pages 349-64). <u>IN:</u> Fibronectins New York: Springer-Verlag, 1990
S	Brotchie, H., Wakefield, D. Fibronectin: Structure, function and significance in wound healing. Australas J. Dermatol 1990; 31:47-56

Examiner:	Date Considered:
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EXAMINER: INITIAL CITATION CONSIDERED. DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT
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UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andre Beaulieu MD FRCP (C)

Group:

Serial No.: 08/488,253

Filed: June 7, 1995

Title: WOUND HEALING FORMULATION CONTAINING
HUMAN PLASMA FIBRONECTIN

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

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Examiner:	Date Considered:
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NOTICE OF REFERENCES CITED

SERIAL NO.

081488,253

GROUP ART UNIT

1501

ATTACHMENT
TO
PAPER
NUMBER

APPLICANT(S)

Beaujieu

U.S. PATENT DOCUMENTS

•	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
A	5 4 2 7 7 7 8	6-95	Finkenour et al	424	78.08	
B	4 9 2 9 4 4 2	5-90	Powell	424	85.2	
C	4 8 3 7 0 1 9	6-89	George, Inc et al	424	101	
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EXAMINER	DATE
Krass	10-95

* A copy of this reference is not being furnished with this office action.
(See Manual of Patent Examining Procedure, section 707.05 (a).)

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

BEAU-1 -

08/488,253

Applicant(s)

Andre Beaulieu

Filing Date

June 7, 1995

Group Art Unit

1501

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translated	
						YES	NO
A	0 443 224 A1	08-28-91	Europe				
B	0 179 477 A3	04-30-86	Europe				

OTHER DOCUMENTS (*Including Author, Title, Date, Pertinent Pages, Etc.*)

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Notice of References Cited

Application No. 08/767,868	Applicant(s) Beaulieu et al.
Examiner Frederick Krass	Group Art Unit 1501

Page 1 of 1

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	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	4,341,784	7-1982	Wallace et al.	424	101
B				----	----
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NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		
X		

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Beaulieu et al.

Serial No.: 09/331,344

Filed: August 21, 1999

Title: Wound Healing Formulations Containing Human Plasma Fibronectin

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB-CLASS	FILING DATE

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FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATIONS

EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB-CLASS	TRANSLATION	YES	NO
A	EP 0 312 208	4/19/89	European Patent Office	A61K	37/02			
B	EP 0 592 380 A1	4/13/94	European Patent Office	A61K	37/02			
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D	WO 90/13653	11/15/90	World Intellectual Property Organization	C12N	15/62			
E	WO 91/15233	10/17/91	World Intellectual Property Organization	A61K	37/48			
F	WO 93/08825	5/13/93	World Intellectual Property Organization	A61K	37/02			

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Examiner:

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Sheet

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of

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Application Number 09/331,344

Filing Date 10/01/01 ba

First Named Inventor A. Beau

Group A Unit 1014

Attorney Docket Number: Beau 21

Attorney Docket Number **Beau 2 US CPA CPA**

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	09/331,344
		Filing Date	10/01/01 based on 08/21/99
		First Named Inventor	A. Beaulieu
		Group Art Unit	1614
		Examiner Name	F. Krass
Sheet	2	of	10
		Attorney Docket Number	Beau 2 US CPA CPA

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
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		Filing Date	10/01/01 based on 08/21/99
		First Named Inventor	A. Beaulieu
		Group Art Unit	1614
		Examiner Name	F. Krass
Sheet	4	of	10
		Attorney Docket Number	Beau 2 US CPA CPA

U.S. PATENT DOCUMENTS

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Examiner Name	F. Krass

Attorney Docket Number **Beau 2 US CPA CPA**

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 6 of 10

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Application Number	09/331,344
Filing Date	10/01/01 based on 08/21/99
First Named Inventor	A. Beaulieu
Group Art Unit	1614
Examiner Name	F. Krass
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Application Number 09/331,344

Filing Date 10/01/01 ba

First Named Inventor A. Beaulieu

Group Art Unit 1614

Examiner Name **F. Krass**

Attorney Docket Number | Beau 2

11. *What is the primary purpose of the following statement?*

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	220	5,851,833		Atala	12-22-98	
	221	5,851,993		Jalkanen et al.	12-22-98	
	222	5,854,205		O'Reilly et al.	12-29-98	
	223	5,854,221		Cao et al.	12-29-98	
	224	5,855,610		Vacanti et al.	01-05-99	
	225	5,856,245		Caldwell et al.	01-05-99	
	226	5,863,984		Doillon et al.	01-26-99	
	227	5,874,164		Caldwell	02-23-99	
	228	5,891,558		Bell et al.	04-06-99	
	229	5,899,936		Goldstein	05-04-99	
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	231	5,904,717		Brekke et al.	05-18-99	
	232	5,910,489		Falk et al.	06-08-99	
	233	5,919,702		Purchio et al.	07-06-99	
	234	5,928,633		Fukuyama et al.	07-27-99	
	235	5,928,635		Schmidt	07-27-99	
	236	5,932,207		Schmidt	08-03-99	
	237	5,932,552		Blanchard et al.	08-03-99	
	238	5,935,594		Ringeisen et al.	08-10-99	
	239	5,942,496		Bonadio et al.	08-24-99	

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Examiner Signature		Date Considered	
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<i>Complete if Known</i>	
Application Number	09/331,344
Filing Date	10/01/01 based on 08/21/99
First Named Inventor	A. Beaulieu
Group Art Unit	1614
Examiner Name	F. Krass
Attorney Docket Number	Beau 2 US CPA CPA

U. S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	240	5,945,403		Folkman et al.	08-31-99	
	241	5,948,432		Timmons et al.	09-07-99	
	242	5,955,430		Rodgers et al.	09-21-99	
	243	5,955,978		Pierschbacher et al.	09-21-99	
	244	5,958,874		Clark et al.	09-28-99	
	245	5,962,325		Naughton et al.	10-05-99	
	246	5,962,427		Goldstein et al.	10-05-99	
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	248	5,976,523		Awaya et al.	11-02-99	
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	255	6,020,326		Roufa et al.	02-01-00	
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	257	6,037,139		Greenspan et al.	03-14-00	
	258	6,040,493		Cooke et al.	03-21-00	
	259	6,054,504		Dalla Riva Toma	04-25-00	

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Application Number	09/331,344
Filing Date	10/01/01 based on 08/21/99
First Named Inventor	A. Beaulieu
Group Art Unit	1614
Examiner Name	F. Krass
Attorney Docket Number	Beau 2 US CPA CPA

U.S. PATENT DOCUMENTS

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		Number	Kind Code ² (if known)			
	260	6,054,122		MacPhee et al.	04-25-00	
	261	6,056,970		Greenawalt et al.	05-02-00	
	262	6,071,447		Bootman et al.	06-06-00	
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	273	6,124,265		Timmons et al.	09-26-00	
	274	6,124,273		Drohan et al.	09-26-00	
	275	6,127,348		Roufa et al.	10-03-00	
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	279	6,165,496		Timmons et al.	12-26-00	

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Application Number	09/331,344
Filing Date	10/01/01 based on 08/21/99
First Named Inventor	A. Beaulieu
Group Art Unit	1614
Examiner Name	F. Krass
Attorney Docket Number	Beau 2 US CPA CPA

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Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	290	AU	573626		Johnson & Johnson	06-16-88		
	291	PCT/ US	WO 00/55206	A1	Wijelath et al.	09-21-00	page 25	
	292	JP	3232898	A	Takara Shuzo Co. Ltd.	10-16-91		
	293	CA	2,083,741	A1	W.R. Grace & Co.	07-25-93		
	294	PCT/ GB	WO 98/00180	A1	Johnson & Johnson Medical, Inc.	01-08-98		
	295	PCT/ GB	WO 98/00446	A1	Johnson & Johnson Medical, Inc.	01-08-98		
	296	EP	0901795	A2	Johnson & Johnson Medical, Inc.	03-17-99		
	297	JP	11-146909	A		06-02-99		
	298	EP	0901795	A3	Johnson & Johnson Medical, Inc.	11-29-00		

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Docket Number (Optional) Beau-3	Application Number 08/879,159
Applicant(s) Andre Beaulieu	
Filing Date June 19, 1997	Group Art Unit 1501

U.S. PATENT DOCUMENTS

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OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

Product Information Sheet for Improved Teflon Flow-Thru Diffusion Cell— Crown Glass Company Inc.

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Applicant(s)/Patent Under

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BEAULIEU, ANDRE

Examiner

Frederick Krass

Art Unit

1614

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	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification	
A	US-6,048,337	04-2000	Svedman	604	313
B	US-				
C	US-				
D	US-				
E	US-				
F	US-				
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NON-PATENT DOCUMENTS

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*	U	Chemical Abstract 110,060, "Further contribution to the absorption of the active ingredient of Arthofluor ointment" (1982)
	V	
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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	10/145,678
		Filing Date	May 15, 2002
		First Named Inventor	A. Beaulieu
		Group Art Unit	1614
		Examiner Name	Ostrup, Clinton T.
Sheet	1	of	4
		Attorney Docket Number	Beau 5

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/145,678
(use as many sheets as necessary)				Filing Date	May 15, 2002
Sheet	2	of	4	First Named Inventor	A. Beaulieu
				Group Art Unit	1614
				Examiner Name	Ostrup, Clinton T.
				Attorney Docket Number	Beau 5

OTHER PRIOR ART -- NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	21	DRAGET, KURT I. et al., "Alginate based new materials," International Journal of Biological Macromolecules, 1997, Vol 21, pp 47-55, Elsevier Science B.V.		
	22	PIACQUADIO, D. et al., "Alginates," J. Dermatol. Surg. Oncol. 1992 18:990-98, Elsevier Science Publishing Co., Inc.		
	23	MOE, S. et al., "Calcium Alginate Gel Fibers: Influence of Alginate Source and Gel Structure on Fiber Strength," Journal of Applied Polymer Science, 51:1771-75 (1994), John Wiley & Sons, Inc.		
	24	Pronova Biopolymer, "Dermatology and Wound Healing, History and clinical use of alginate, ..." (Date of at least January 30, 1998) Prescott Canada World Chemical Distributors, Toronto and Montreal		
	25	POTTS, J.R. et al., "Fibronectin structure and assembly," Current Opinion in Cell Biology (1994) 6:648-552		
	26	GEHRKE, S.H. et al., "Hydrogels for Drug Delivery Systems," In Specialized Drug Delivery Systems Manufacturing and Production Technology, Chapter 8, (1990) Vol. 41, pp 333-392, Marcel Dekker, New York		
	27	MUSTOE, T.A. et al., "Growth Factor-induced Acceleration of Tissue Repair through Direct and Inductive Activities in a Rabbit Dermal Ulcer Model," J. Clin Invest (1991) 87: 694-703.		
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	30	RADOSEVICH, M., "Research and Development Commitments in an Integrated Plasma Collection and Plasma Fractionation Environment," Seminars in Thrombosis and Hemostasis. (1998) 24 (2) 157-161		
	31	HOROWITZ, B. et al., "Solvent/Detergent-Treated Plasma; A Virus-Inactivated Substitute for Fresh Frozen Plasma," Blood (1992) 79 (3):826-31		

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/145,678
(use as many sheets as necessary)		Filing Date	May 15, 2002
		First Named Inventor	A. Beaulieu
		Group Art Unit	1614
		Examiner Name	Ostrup, Clinton T.
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Sheet	3	of	4

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		First Named Inventor	A. Beaulieu
		Group Art Unit	1614
		Examiner Name	Ostrup, Clinton T.
Sheet	4	of	4
		Attorney Docket Number	
		Beau 5	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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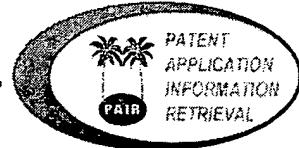
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PATENT APPLICATION INFORMATION RETRIEVAL

Search results as of: 11-30-2004::21:16:15 E.T.

Search results for application number: 10/049,992			
Application Number:	10/049,992	Customer Number:	44702
Filing or 371(c) Date:	10-07-2002	Status:	Non Final Action Mailed
Application Type:	Utility	Status Date:	06-04-2004
Examiner Name:	KIM, VICKIE Y	Location:	ELECTRONIC
Group Art Unit:	1614	Location Date:	-
Confirmation Number:	2610	Earliest Publication No:	-
Attorney Docket Number:	BEAU 4 US	Earliest Publication Date:	-
Class/ Sub-Class:	514/310	Patent Number:	-
First Named Inventor:	Andre Beaulieu, Cap-Rouge, (CA)	Issue Date of Patent:	-
Title Of Invention:	Solid wound healing formulations containing fibronectin		

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Assignments
Continuity Data
Display References
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Publication Review

File History

Date	Contents Description
07-06-2004	Correspondence Address Change
06-02-2003	Reference capture on IDS
06-02-2003	Information Disclosure Statement (IDS) Filed
06-07-2004	Mail Non-Final Rejection
06-01-2004	Non-Final Rejection
03-30-2004	Information Disclosure Statement (IDS) Filed
05-05-2004	IFW TSS Processing by Tech Center Complete
05-05-2004	IFW TSS Processing by Tech Center Complete
05-05-2004	Case Docketed to Examiner in GAU
10-03-2003	Miscellaneous Incoming Letter
04-27-2004	Cleared by OIPE CSR
03-17-2004	Correspondence Address Change
10-07-2002	371 Completion Date

11-26-2003	Application Dispatched from OIPE
11-26-2003	Notice of DO/EO Acceptance Mailed
10-07-2002	Additional Application Filing Fees
10-07-2002	A set of symbols and procedures, provided to the PTO on a set of computer listings, that describe in
10-07-2002	CRF Disk Has Been Received by Preexam / Group / PCT
10-07-2002	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic
11-12-2003	CRF Is Good Technically / Entered into Database
02-14-2003	Petition Decision - Dismissed
02-07-2003	Petition Entered
06-04-2002	Notice of DO/EO Missing Requirements Mailed
02-19-2002	Initial Exam Team nn

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